

## REMARKS

The Applicant does not believe that examination of the foregoing amendment will result in the introduction of new matter into the present application for invention. Therefore, the Applicant, respectfully, requests that the above amendment be entered in and that the claims to the present application, kindly, be reconsidered.

The Office Action dated June 18, 2004 has been received and considered by the Applicants. Claims 1-20 are pending in the present application for invention. Claims 1-20 are rejected by the June 18, 2004 Office Action.

The Examiner has taken official notice that providing queues or placeholders for data casting, or an order of transmission, operating as such as a FIFO or other type of ordering device is well known. The Applicant respectfully asserts that the official notice taken by the Examiner is in error. It is not well known to provide it is well known to provide the order of transmission as defined by the rejected claims. The system as defined by the rejected claims provides an advancement in the art of datacasting that is not disclosed or suggested by the prior art. The Applicant, respectfully, requests that the Examiner provide a prior art reference that substantiated the assertion that the type of ordering device as recited by the rejected claim is well known.

The Office Action rejects Claims 1-16 under the provisions of 35 U.S.C. §103(a) as being unpatentable over “Integrated Data-casting Solutions for Digital TV (6/1999)” published by Motorola Inc. (hereinafter referred to as Motorola) in view of U.S. Patent No. 6,182,050 issued to Ballard (hereinafter referred to as Ballard).

The Examiner states that Motorola discloses a storage data apparatus comprising: a storage medium for storing selected portions of transmitted data cast streams wherein a content filtering processor which is based on a user profile and caching of content is accomplished by the user's apparatus. The Examiner further states that Motorola discloses a filtering processor is not provided on a user's computer/system, and that the users can be grouped, sub-grouped even unicast, based on and uni-casting by targeting a specific PC users, based on user profiles and demographic, wherein all three types of network session are possible in the same service on page 7). The Applicant respectfully point out that while Motorola discloses that users can be grouped, sub-grouped and

unicast, there is no disclosure within Motorola for a content filter as taught by the present invention, wherein the content is filtered at a local broadcast facility. Motorola discloses multicasting that can be tailored, but the tailoring is accomplished at a specific, targeted PC, not at the local broadcast facility as taught by the present invention. Accordingly, the rejected claims have been amended to clearly define subject matter for the local broadcast facility providing the content filter.

The Examiner further states that Motorola discloses on page 11-12 that the filtering is accomplished according “user’s view history back to the TV station over the internet”, therefore, filtering is not provided by the user’s apparatus, but accomplished remote from the user, wherein system targets either groups, sub-groups even specific users, based on demographic and user profiles. The Applicant, respectfully, disagrees. Motorola discusses interactive viewing on pages 11-12. In fact the disclosure of Motorola generally pertains to interactive viewing which is a basic premise of Motorola. Pages 11-12 of Motorola discuss a system that provides a content filter within the PCs of users. Motorola teaches the type of system that is discussed in the beginning of the specification to the present invention wherein large amount of data are stored in users PC. Motorola is silent regarding the features of the present invention wherein a local broadcast facility receives transmissions from a broadcast data source, stores broadcast blocks, multicast blocks and unicast blocks in separate queues before and transmission. Simply put, Motorola does not address filtering features that are contained within the local broadcast facility. Motorola address filtering features that are contained within the users PCs. The Applicant, respectfully, asserts that the foregoing amendment to the claims prevents any reasonable reading of Motorola including the claims of the present invention.

The Examiner states that Motorola teaches at pages 11-12 that filtering is accomplished as a result of the user’s viewing history being sent back to the TV station over the internet. The Applicant, respectfully, disagrees with this assertion contained in the Office Action. The Applicant, respectfully, points out that pages 11-12 of Motorola discuss the user’s viewing history being sent back to the TV station over the internet, however, there is no filtering by the any TV broadcast station discussed by Motorola. Motorola clearly states that on pages 11-12 that the user’s viewing history is sent back to

the TV station to better gauge the reach of digital advertising and viewership. The Applicant requests that the Examiner point to any section of Motorola that discusses filtering being accomplished as a result of the user's viewing history being sent back to the TV station over the internet.

The Examiner states that Ballard teaches the concept that an advertising service provider sends executable filter programs which run on the end user computer, wherein the filter need not be downloaded, wherein the end user computer determines whether a corresponding advertisement is to be downloaded and displayed. The Applicant respectfully asserts, as stated above, that the claims to the present invention pertains to a content filter that is provided at a local broadcast station and not on a PC of a user. The foregoing amendment to the claims has been made to clearly identify this feature of the invention. Accordingly, Ballard should not be read on the claims to the present invention.

The Office Action rejects Claims 17-20 under the provisions of 35 U.S.C. §103(a) as being unpatentable over Motorola. Regarding Claims 17-18, the Examiner states that Motorola discloses the limitations associated with a TV broadcasting system capable of transmitting data-cast streams to a plurality of storage apparatuses.

The Examiner has taken official notice that providing queues or placeholders for data casting, or an order of transmission, operating as such as a FIFO or other type of ordering device is well known. The Applicant respectfully asserts that the official notice taken by the Examiner is in error. It is not well known to provide it is well known to provide the order of transmission as defined by the rejected claims. Datacasting is a relatively new art and the system as defined by the rejected claims provides an advancement in the art of datacasting that is not disclosed or suggested by the prior art. The Applicant, respectfully, requests that the Examiner provide at least one prior art reference that substantiates the assertion that the type of ordering device as recited by the rejected claim is well known.

The Examiner further states that Motorola discloses caching prior of broadcasting that meets the limitations of the rejected claims. The Applicant respectfully points out that Motorola on page 6 discusses that content can be cached on a server where it can be branded and scheduled for broadcast. There is no disclosure, or suggestion, within

Motorola for the provision of multiple caches as recited by the rejected claim.

Accordingly, all the features of the invention are not found, or suggested, within the cite reference Motorola. Accordingly, this rejection is respectfully, traversed.

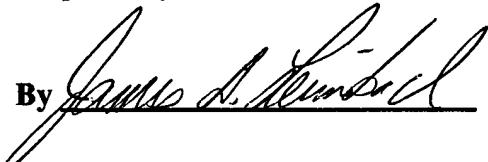
In an effort to move the present application for invention towards allowance, the Applicants have amended the claims to the invention.

Applicant is not aware of any additional patents, publications, or other information not previously submitted to the Patent and Trademark Office which would be required under 37 C.F.R. 1.99.

In view of the foregoing amendment and remarks, the Applicant believes that the present application is in condition for allowance, with such allowance being, respectfully, requested.

Respectfully submitted,

By

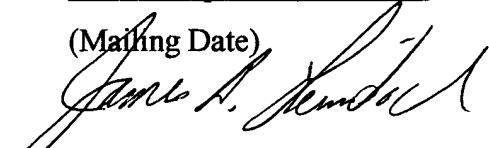
  
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited this date with the United States Postal Service as first-class mail in an envelope addressed to: Mail Stop: Amendment, COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450

on: September 18, 2004

(Mailing Date)

  
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